

Technical Regulations in the Construction Sector of Russia

Energofichtner, Moscow

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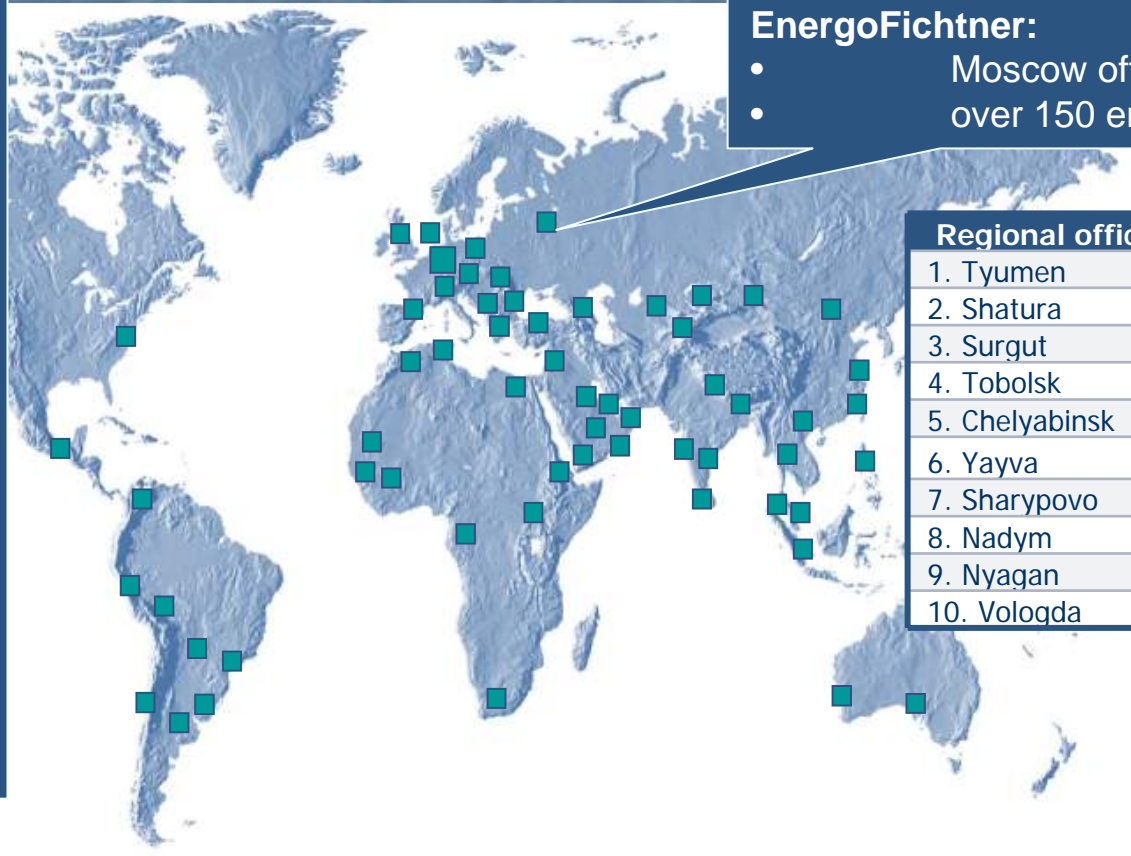
The Fichtner Group: Worldwide

Established in 1922, the Fichtner Group is now Germany's biggest independent engineering and consultancy enterprise active in the country and abroad.

16 subsidiaries, offices in 26 countries, over 1700 employees; Contract Volume (2008): €231 m

Over the last few years our Home Office takes part in 600-650 ongoing projects amounting to €30 bn. of total investment.

Worldwide, the Fichtner Group of companies conducts about 1300 different projects with the total investment volume of €50 bn.



Energofichtner:

- Moscow office
- over 150 employees

Regional offices:

1. Tyumen
2. Shatura
3. Surgut
4. Tobolsk
5. Chelyabinsk
6. Yayva
7. Sharypovo
8. Nadym
9. Nyagan
10. Vologda

New technical regulations

- Regulation on the requirements for fire safety (Federal Law (FZ) 123-FZ dated 22.07.2008)
- Regulation on the safety of buildings and structures (384-FZ dated 30.12.2009)
- Regulation on the safety of low voltage equipment (347-FZ dated 27.12.2009)
- Regulation on the safety of machinery and equipment (Russian Government Decree No. 753 dated 15.09.2009)
- Regulation on the safety of elevators (Russian Government Decree No. 782 dated 2.10.2009)

There are no regulations:

- On the safety of power plants
- On the safety of construction materials
- On the safety of motor roads
- On the safety of pressurized equipment
- etc. ...

Regulation structure

- General clauses
- General safety requirements
- Project documentation requirements
- Safety during construction process
- Conformance evaluation
- Final clauses

Technical regulation on the safety of machinery and equipment

- Sets out a list of machinery and equipment subject to compulsory certification.
- Sets out a list of machinery and equipment subject to declaration of conformity.
- Russian Regulatory Board (Rostekhnregulirovaniye) approves the list of national standards required for technical regulation conformity.

Legislation on the self-regulating organizations (SRO)

- Federal Law No. 715-FZ dated 1.12.2007 "On the self-regulating organizations"
- City Planning Code of Russia 148-FZ dated 22.07.2008 "Self-regulation in the area of survey, design, construction, rehabilitation, capital repair...", Chapter 6.1
- Government Regulation No.48 dated 3.02.10
- Russian Ministry of Regional Development Orders No. 274, 480, 624

Requirement for SRO

- SRO – NPO registered as a non-profit partnership.
- SRO shall approve:
 - requirement for organizations applying for admission certificates;
 - organisation of control of self-regulation;
 - system of disciplinary measures.
- SRO may approve:
 - own standards;
 - rules of self-regulation (requirements for the business activities of SRO members: contract terms, warranties, insurance, etc.).
- SRO shall include at least 50 design companies for a design SRO, 100 construction companies for a construction SRO

SRO compensation fund

- The fund is formed from contributions of SRO members:
- Design and survey companies shall contribute at least 0.5 million rubles each,
- Construction and installation companies shall contribute at least 1 million rubles each.
- In the case of liability insurance design and survey companies shall provide for at least 150 000 rubles and construction and installation companies shall provide for at least 300 000 rubles.

SRO membership

- Legal entity, entrepreneur, foreign legal entity can apply for membership and shall have:
- State registration and constituent documents
- Documents of compliance with requirements
- Copies of similar certificates
- Admission fee, membership fees
- Fee to the compensation fund

Permit-to-work of SRO members

- Only SRO members are entitled to conduct activities that affect safety
- The list of such activities is set by the Russian Ministry of Regional Development No. 274 dated 9.12.2008, as amended by Order No.480
- New list is set by the Order 624 dated 1.7.2010
- The standard form of Certificate of Admission has not yet been established by supervision body
- Safe works (finishing, windows installation, doors, floors, etc.) can be performed by companies that don't have SRO admission.

Certificate of Admission

- Admission is granted for each type of activities.
- Certificate shall include :
 - qualifying requirements for employees (education, additional professional training, work experience);
 - requirements to the number of such employees.Minimum: higher education – not less than 3 years, or secondary education – not less than 5 years; further training – once in 5 years.
- Certificate may contain:
 - requirements for the availability of equipment;
 - requirement for the proficiency test.

Unique facilities

- Government Regulation No.48 approved in 03.02.2010 set out high requirements for works related to construction, renovation and repair of high-risk, technically complex and unique objects. The requirements relate to the number, qualification and quality control system.

SRO register

- SRO shall keep a register of SRO members that includes INN (taxpayer identification number), name, list of activities, data on certificate suspension (if it is suspended)
- SRO supervision body keeps the register of SROs. This register includes INN (taxpayer identification number), name, list of activities, data on certificate suspension (if it is suspended)
- State exercises control over SRO activities by conducting: scheduled inspections – once in 2 years, random inspections.

SRO for 01.03.2010

- 26 survey SRO
- 138 design SRO
- 204 construction SRO
- More than 30 000 organizations entered SRO
- At the beginning of 2009, 155 000 organizations, incl. 140 000 were registered